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Tenant Sues Landlord & Florida Courts Judge For \$1.4M In Violations Of The Federal CDC Court Order

By Timur Bey 2 | 02/28/21

On May 17th, 2021 a Florida Courts Fifth District Judge refused a Pro Se tenants motion for demand for trial by jury and violated the Federal Centers For Disease Control Order to protect the Spread of CoVid19 by participating in a series of events sentimentally set in motion by a Plaintiff to maliciously manipulate the Courts in order to illegally evict a Pro Se Tenant. On May 14th, 2021 the Pro Se Tenant filed an Emergency Answer Counter-Claim And Demand for Trial by Jury in response suing for \$1.4M in violations of Federal Centers For Disease Control Court Order.

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When a Pro Se Tenant presented the Courts with proper defense in this action, the Courts Judge intentionally refused to hear or acknowledge motions submitted, where the Judge “lacked jurisdiction” upon issuing a final judgement of possession. The Judge, by way of omission, unlawfully “refused” to hear and decide matters assigned to her as a Circuit Court Judge, in violation of the Federal CDC Order to Protect the Spread of CoVid19 for failure to enforce the Federal CDC Order. Minutes after the hearing on May 17th, 2021, the Pro Se Tenant submitted a Complaint For Declaratory relief appealing to the Florida Supreme Courts against the Judge, further requesting an Order of Recusal for refusing the Pro Se Tenants motions for Demand For Trial By Jury, and violating the Federal Centers For Disease Control Order to protect the Spread of CoVid19 in attempts to perpetuate an illegal eviction.

The Federal CDC Order provides in no part any clear guidelines or mechanism for tenants to file complaints. When it is apparent and can be determined that a law goes against the Constitution of The United States Government, any Court case can be used as evidence demonstrating a law that might directly violate or conflict with a Federal Court Order (Law). The Florida Courts Judge had no intentions of hearing any motions submitted by the Pro Se Tenant in violation of The Federal Centers For Disease Control Order to Protect the Spread of CoVid19 in case 2020-CC-009382-O of the Florida Fifth District Orange County Circuit Courts.

Supreme Court of Florida

TAMERLANE TIMUR BEY II vs. VO THI NGUYET

CASE NUMBER: SC21-727

Lower Tribunal Case Number(s): 482020CC009382A0010X

CoVid19: Florida Property Rental Scam | Vo Thi Nguyet Vs. Timberlane Bey II (Part 1)

By Timur Bey 2 | 05/21/21

I had reason to believe that my landlord had no real intentions of renting the property to me (during the CoVid19 pandemic) and had now effectively decided to use legal tactics to force me out of my home. This scam (court case) has resulted in the risk of pending eviction (for myself & employees) and the loss of SBA funds recently received to secure my company payroll.

On July 27th 2020 I paid \$7,000.00 (\$1,750 first-last month rent, deposit, an additional month rent) to secure a rental property. Three weeks after signing my lease on 8/16/2020, I received a notice of eviction on 9/10/2020 (while away traveling) for “unauthorized occupants” from a third-party management company (with no prior notice from the owner – Nguyet Thi Vo).

After contacting The State Attorney General’s office, i was advised to request “Proof to the Rights of Property” and file a police report if the third-party management company did not comply. I filed a police report as instructed with the Orange County Sheriff’s Department on 9/23/20 (report #20-068951). Even after sending previous “cease and desist” letters for harassment and to continue further communication with my attorney, a “For Sale” sign was later placed on the property on 9/25/20.

I requested “Proof To the Rights of Property” as instructed by the Florida State Attorney General’s office. In almost all states, it is illegal for a landlord to retaliate against tenants for acting within their legal rights. According to Florida Senate Statutes 83.64 Retaliatory conduct (Fla. Stat. Ann. § 83.64) a landlord cannot evict a tenant in Florida in retaliation of certain acts the tenant may have committed in good faith. Some retaliatory acts covered by the Florida state statutes include but are not limited to: “terminating a month-to-month tenancy or refusing to renew a lease, and following up with an eviction lawsuit if the tenant decides to stay and fight”; “legally retaliating after the tenant complains to a government agency as a result of a landlord violation”; and “increasing rent in retaliation after a tenant exercises specified legal rights guaranteed to tenants (and cannot illegally discriminate in their system for raising rent)”. Upon contacting the third-party management company (Jander Group Inc) in attempts to exercise my rights in good faith to protect myself, speaking with the owner (Nicholas A. Musashe) and requesting “Proof to the Rights of Property”, Nicholas Mushashe refused to provide “Proof to The Rights of Property”; and retaliated by stating, “i would be evicted from the property if i did not sign the lease”, then immediately commenced eviction proceedings on 10/3/2020 (CASE NO.: 2020-CC-009382-O).

When I originally contacted the Florida State Attorney General’s office, they had also explained the “price gouging” process and how property owners (individuals) were able to scam (“price gouge”) by using legal tactics during the CoVid19 pandemic. For example, a landlord leasing a property and commencing eviction proceedings within less than a 30 day period, requesting double rent, and no “real intentions” to rent the property. On 10/22/2020 my attorney sent me an email stating that the third-party company did not want or had any intentions to renew the lease “due to the unauthorized occupants in the property”. On 11/13/2020 the landlord filed a motion to amend their original court complaint with a request for “double rent” after commencing eviction proceedings 10/3/2020.

I had always paid my rent on time to the court registry. The landlord had now also requested the entire balance of the court registry (including double rent paid). I'm currently being scammed out of \$24,500 (pending rent and registry deposits). As a result, my employees had now been forced to collect unemployment and all faced with pending risk of eviction.

A copy of the (final) signed lease, the eviction notice, a dated screenshot photo of the "For Sale" sign placed on the property (9/25/20) after the lease was signed (8/16/2020) and police report is available as evidence on my website for public review. Additional complaints have now been filed with the following agencies; Better Business Bureau (BBB), The United States Federal Trade Commission (FTC), Florida Department of Agriculture and Consumer Services (FDACS), Florida Supreme Court, Florida Department of Health, NAACP, the Florida Department of Health COVID-19 Outbreak, Centers for Disease Control & Prevention (CDC) and The U.S. Department of Health and Human Services Office for Civil Rights.

To Be Continued—

How To: Sue For Violations Of The Federal Centers For Disease Control Order & Defend Yourself In The Court of Law During The CoVid19 Pandemic

Tamerlane Bey 2 Foundation by Timur Bey 2 | 05/29/21

Although it may seem difficult, it is possible to sue your landlord, any person, or organization for violations of The Centers For Disease Control Federal Court Order. You can do this yourself "Pro Se" or hire an attorney to start the process. In this article we will explain steps you can take to counter sue your landlord for illegal evictions or violations of the Federal Centers For Disease Control Court Order during the CoVid19 pandemic. This article was prepared to provide education in the process of filing court documents as a "Pro Se" litigant. The following steps are based on Motions, Petitions and Court documents necessary to counter claim (respond) for violations of The Centers For Disease Control Federal Court Order To Protect Further Spread Of CoVid19 if you are in fear a Judge or Courts has refused to hear your case.

Before you begin reading this article, please review the following disclaimer; "This information is being provided in part by The Tamerlane Bey 2 Foundation. We are not attorneys; and providing the following information herein in good faith for educational purposes to citizens interested in the "Pro Se" litigation process for violations of the Federal Centers For Disease Control Court Order during the CoVid19. The following information is being provided for educational purposes adherent to United States Congress Public Law 107-174 as pursuant to the Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002 (NO-FEAR ACT)".

PROCEDURAL DUE PROCESS, THE 14TH AMENDMENT DUE PROCESS CLAUSE, JUDICIAL MISCONDUCT, COMPLAINT FOR DECLARATORY RELIEF & A CITIZENS RIGHT TO DEMAND TRIAL BY JURY

Every citizen has the right or is supposed to be guaranteed the rights of due process pursuant to The Fourteenth Amendment. Due Process Clause of the United States Constitution which states, "Procedural due process" concerns the procedures that the government must follow before it deprives an individual of life, liberty, or property. When it is apparent and can be determined that a law or Court is in violation of the Constitution of The United States Government, any Court case can be used as evidence demonstrating a direct violation or conflict with civil rights as outlined in The United States Constitution.

This article is based on a courts decision of a final writ of possession where a tenant filed a police report prior to any court proceedings directly alleging a property rental scam, fraud upon the courts, and "Malicious Prosecution in a Civil Action" pursuant to Florida Statutes Chapter 83. The Courts Judge violated The 14th Amendment Due Process Clause by refusing to grant the Pro Se tenants Demand Trial By Jury and act on motions submitted by the Pro Se tenant; also in violations of the The Centers For Disease Control Federal Court Order To Protect Further Spread Of CoVid19 where the Courts Judge had no intentions of hearing, investigating, or acknowledging any claims or evidence submitted.

In the event you are in fear of your rights to Procedural Due Process and the Courts or a Courts Judge refuses to hear your case, it is your legal right to Demand Trial By Jury for a fair hearing. If you have submitted motions and the Courts or Courts Judge refuses to hear or act on motions you've submitted, some steps you can take to protect your right to Procedural Due Process is by filing a Complaint For Declaratory Relief for void for lack of jurisdiction for the final judgement of possession directly stating you are in fear the Courts or a Courts Judge refuses to hear your case or act on any motions ; and a Verified Motion To Disqualify Trial Judge where a complaint for declaratory relief is pending, on account of Judicial Misconduct, and prejudice or bias.

HOW TO SUBMIT COURT DOCUMENTS & WHAT IS THE DIFFERENCE BETWEEN "PRO SE" VERSUS "ATTORNEY"

Pro Se ("Pro Se Litigant") is the title used to describe a citizen who is legally representing themselves in court without an attorney. Each Citizen has the right to educate themselves about said laws, the court process and represent themselves in court versus hiring an attorney. We recommend doing as much research as possible on the laws and information mentioned in this article to help you better understand the litigation (legal) process.

HOW TO E-FILE COURT DOCUMENTS WITH YOUR STATE ELECTRONIC FILING PORTAL (ECF)

Most states are now required by law to provide an Electronic Filing Portal available for citizens interested in the "Pro Se" litigation process. You can submit your own motions and petitions as a Pro Se litigant versus hiring an attorney. Google or contact your local Clerk of Courts for instructions on available "Pro Se" e-filing options, finding and registering with your State Electronic Filing Portal.

STEP 1**ANSWER AND RESPOND**

The first thing you will need to do is respond to your landlords claim for eviction. If you already hired an attorney, your attorney should have already submitted an answer or response for you. Filing a response is the first step to halt further legal eviction procedures. In most cases you can do this by filing a “Motion to Stay Writ of Possession”. You can also file a “Motion To Vacate Default Judgement” to stay the Writ of Possession. This will give you the opportunity to halt (stay) further legal eviction procedures to defend yourself.

STEP 2**COMPLAINT FOR DECLARATORY RELIEF**

If a judge has refused to hear your defense or case, file a Complaint For Declaratory relief seeking to declare void for lack of jurisdiction for the final judgement of possession entered into the Courts. This document is titled similar to the following example, “Complaint For Declaratory Relief.” This will give you the legal opportunity for the courts to hear your case.

STEP 3**VERIFIED MOTION TO DISQUALIFY TRIAL JUDGE**

If you are in fear that you will not receive a fair hearing in court where a complaint for declaratory relief is pending, on account of Judicial Misconduct, and prejudice or bias against you; then you can file a Verified Motion To Disqualify the judge. You can do this by filing a “Verified Motion To Disqualify Trial Judge. This document is titled similar to the following example, “Verified Motion To Disqualify Trial Judge ‘John Doe’.”

STEP 4**LIS PENDENS (ADDITIONAL STEP)**

A Lis Pendens is an additional legal step you can take to prevent your landlord or property owner from selling the property pending any Court cases related to the property.

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KNOW YOUR RIGHTS

It is important to know which laws you are using and why they are important during the process of filing your court documents. Although each state follows laws as set forth by the United States Constitution, they may have different local laws for procedures to stop the eviction process. We recommend researching your local laws for any additional steps and procedures.